

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

PEDRO M. SERRANO et als.

v.

POPULAR, INC.C. et als.

CASE NUMBER: 97-2803 (DRD)

ORDER

The Court hereby rules as follows:

<u>Docket No.</u>	<u>Ruling</u>	<u>Title and Date</u>
42	DENIED	Motion for sanctions pursuant to..., May 24, 1999
43	NOTED	Informative Motion, June 10, 1999
44	DENIED	Motion to supplement May 24, 1999 motion..., June 1, 1999
45	NOTED	Informative Motion, July 6, 1999
46	DENIED	Motion to inform of partial compliance..., July 6, 1999

Regarding **Docket Nos. 42, 44, 46:**

FED. R. CIV. PROC. 37 allows sanctions to be imposed upon a party for failure to comply with discovery requests "unless the Court finds that the motion [to compel discovery] was filed without the movant's first making a good faith effort to obtain the disclosure or discovery without court action, or that the opposing party's nondisclosure, response or objection was substantially justified, or that other circumstances make an award of expenses unjust." In the instant case counsel for both parties have advised the Court throughout the case's settlement conferences that efforts were being made to fully comply with plaintiff's discovery requests. The Court finds that these efforts justify not imposing sanctions for noncompliance upon defendant. Nonetheless, the Court forewarns defendant that further noncompliance with plaintiff's discovery requests may result in the imposition of sanctions.

IT IS SO ORDERED.

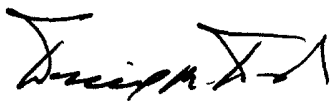
DATE: October 2, 1999

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DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE

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